

### **REMARKS**

This is in response to the Office Action mailed on December 29, 2003, and the references cited therewith.

Claims 294-303, 305-306, 308-313, 316, 318-321, and 323-326 are amended, claims 290-293, 304, 307, 314, 315, 317 and 326 are canceled, and claims 327-331 are added; as a result, claims 294-296, 299-300, 303, 305, 308-313, 316, 318-321, and 323-332 are now pending in this application.

### **Oath/Declaration**

The signed declaration lists Franz Ulrich and Len Bieman, who are the inventors of the present claims, and this is the official declaration. Other inventors originally listed on any unsigned declaration or the parent PCT application were inventors of inventions recited in other claims of the PCT application, and are not inventors of the claims of present application.

### **Claim Objections**

Claim 321 was objected to as depending from itself. This claim has been amended to overcome this rejection.

Claim 314 was objected to as being grammatically awkward and unclear. Claim 318 has been amended to overcome this rejection.

Claim 303 was objected to because of misleading grammar. Claim 303 has been amended to overcome this rejection.

The claims indicated as allowable have been amended to place them in condition for allowance, and canceling of other claims is solely to permit the allowable claims to issue. No admission as to the §102 or §103 Rejection of the Claims is intended nor should it be inferred. Applicant reserves the right to reintroduce any cancelled claim or other claims in a continuation application.

### **§102 Rejection of the Claims**

Claims 290-291 and 300-301 were rejected under 35 USC § 102(b) as being anticipated by Bieman (US 5,636,025). Applicant respectfully traverses the rejection of claims 300-301.

The claims indicated as allowable have been amended to place them in condition for allowance, and canceling of other claims is solely to permit the allowable claims to issue. No admission as to the §102 or §103 Rejection of any other of the Claims is intended nor should it be inferred. Applicant reserves the right to reintroduce any cancelled claim or other claims in a continuation application.

§103 Rejection of the Claims

The claims indicated as allowable have been amended to place them in condition for allowance, and canceling of other claims is solely to permit the allowable claims to issue. No admission as to the §102 or §103 Rejection of the Claims is intended nor should it be inferred. Applicant reserves the right to reintroduce any cancelled claim or other claims in a continuation application.

Claim 292 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Magyar, Jr. et al. (US 5,469,249). Applicant respectfully traverses.

Claim 293 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Magyar, Jr. et al. (US 5,469,249) and further in view of Svetkoff et al. (US Re. 36,560). Applicant respectfully traverses.

Claims 296-297 were rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Svetkoff et al. (US Re. 36,560). Applicant respectfully traverses.

Claim 299 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Tanaka (US 5,621,218).

Claim 302 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Langer et al. (US 5,460,758). Applicant respectfully traverses.

Claim 303 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Kobayashi et al. (US 5,039,868). Applicant respectfully traverses.

Claim 314 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Bieman (US 5,646,733).

Claims 314-315 and 324-325 were rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Rhoads (US 6,320,680). Applicant respectfully traverses.

Claim 323 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Rhoads (US 6,320,680). Applicant respectfully traverses.

Claim 326 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Rhoads (US 6,320,680) and further in view of Womack et al. (US 5,085,502). Applicant respectfully traverses.

Claim 316 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Rhoads (US 6,320,680) and further in view of Magyar, Jr. et al. (US 5,469,249). Applicant respectfully traverses.

Claim 317 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Rhoads (US 6,320,680) in view of Magyar, Jr. et al. (US 5,469,249) and further in view of Svetkoff et al. (US Re. 36,560). Applicant respectfully traverses.

Claims 320-321 were rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Rhoads (US 6,320,680) and further in view of Svetkoff (US Re. 36,560). Applicant respectfully traverses.

Claims 304-305, 310 and 312 were rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Rhoads (US 6,320,680) and further in view of Kawachi et al. (US 6,285,787). Applicant respectfully traverses.

Claim 309 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Rhoads (US 6,320,680), further in view of Kawachi et al. (US 6,285,787), and further in view of Svetkoff et al. (US Re. 36,560). Applicant respectfully traverses.

Claim 311 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Rhoads (US 6,320,680) in view of Kawachi et al. (US 6,285,787), and further in view of Tanaka (US 5,621,218). Applicant respectfully traverses.

Claim 313 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Rhoads (US 6,320,680), in view of Kawachi et al. (US 6,285,787) and further in view of Kobayashi et al. (US 5,039,868). Applicant respectfully traverses.

Claim 306 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Rhoads (US 6,320,680) in view of Kawachi et al. (US 6,285,787) and further in view of Magyar, Jr. et al. (US 5,469,249). Applicant respectfully traverses.

Claim 307 was rejected under 35 USC § 103(a) as being unpatentable over Bieman et al. (US 5,636,025) in view of Rhoads (US 6,320,680), further in view of Kawachi et al. (US 6,285,787), further in view of Magyar, Jr. et al. (US 5,469,249) and further in view of Svetkoff et al. (US Re. 36,560). Applicant respectfully traverses.

The above claims have been cancelled or amended to depend on allowable claims solely to have the present claims go to issue. Applicant reserves the right to reintroduce any or all of these claims in a continuation application.

Allowable Subject Matter

Claims 294-295, 298, 308, 318-319 and 322 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The claims have been amended to meet this requirement. Claim 327 and its dependent claims 328-332 are added to parallel the method of claim 318 and other dependent claims. Reconsideration of these claims is respectfully requested.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at 952-278-3501 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

FRANZ W. ULRICH ET AL.

By their Representative,

Date 29 June 2004 By Charles A. Lemaire  
Charles A. Lemaire  
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29th day of June, 2004.

Charles A. Lemaire  
Name

Charles A. Lemaire  
Signature